

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1606 of 2017

Arising Out of PS.Case No. -13 Year- 2017 Thana -SIDHWALIA District- GOPALGANJ

- =====
- 1.Ajay Rai, son of Vikrama Rai.
 2. Vijay Rai, Son of Vikrama Rai.
 - 3.Vikrama Rai @ Vikrana Chaudhary, son of Yamuna Rai@ Yamuna Chaudhary.
 4. Deo Narayan Rai @ Kumbh Rai@ Kumha Rai, Son of Chandradeo Rai.
 5. Bharat Rai, Son of Chandradeo Rai.
 6. Lalita Devi wife of Vikrama Rai.

All resident of village- Jalalpur Kala, P.S. Sidhwaliya, District-Gopalganj (Bihar).

.... Appellants

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Raju Giri, Advocate

For the Respondent/s : Mr. Sadanand Paswan, Spl PP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 27-07-2017 The appellants seek pre arrest bail in connection with Sidhwaliya P.S. Case No. 13 of 2017 registered for the offences punishable under Sections 147, 149, 341, 435 of the Indian Penal Code and under Section 3(i)(x) of the SC/ST (POA) Act.

Allegation against the appellants is that they abused the informant who is a lady by taking caste name and also assaulted. It has been further alleged that appellants asked her to vacate the premises and they put on fire in the bathan where straw was kept.

Learned counsel for the appellants is that both family members have implicated in this case and there is case and counter



case and another case has been lodged by the family member of the informant that there is land dispute between the parties and further allegation is general and omnibus in nature.

Learned Special P.P. has opposed the prayer for pre-arrest bail on the ground that prima facie allegation is made out against the appellants under the provisions of SC/ST Act.

Having heard both sides, in view of the facts and circumstances of the case this appeal is not maintainable.

Let appellants surrender before the Special Court and make prayer for regular bail on the basis of land dispute between the parties which shall be considered on its own merit without being prejudiced by this order, preferably on the same day.

With the above observation, this appeal is disposed of

(Vinod Kumar Sinha, J)

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